IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

Bail Appl..No. 7417 of 2007()

CMP.9069/2007 of J.M.F.C.-I,NEYYATINKARA
CR. NO.54/07 OF EXCISE RANGE, NEYYATTINKARA.

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PETITIONER - ACCUSED

VELAYUDHAN, (AGED 56), S/O.NJANADAS,
KADAVAMCODE COLONY, PERUMPAZHUTHOOR,
NEYYATTINKARA TALUK.

BY ADV. R.T.PRADEEP

RESPONDENTS: COMPLAINANT

STATE REPRESENTED BY THE EXCISE
INSPECTOR, NEYYATTINKARA THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7417 of 2007

Dated this the 3rd day of December, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 3 litres of arrack on 7/11/2007. He was arrested and continues in custody from that date. The learned Public Prosecutor reports that the petitioner has three other cases - all under the Abkari Act, also registered against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 7/12/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.50,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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